

Prob 12B
(7/93)

UNITED STATES DISTRICT COURT

for the

District of Nebraska

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

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OFFICE OF THE CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Lyle Lee Capellan **Docket Number:** 8:97CR17-1
Sentencing Judge: Lyle E. Strom
U.S. Senior District Court Judge
Date of Original Sentence: July 11, 1997
Original Offense: Threats Against the President [18 U.S.C. 871]
Original Sentence: Twenty-seven months BOP and three years Supervised Release
Type of Supervision: Supervised Release
Date Supervision Commences: August 12, 2006

PETITIONING THE COURT

☐ To extend the term of supervision for _____, for a total term of _____.

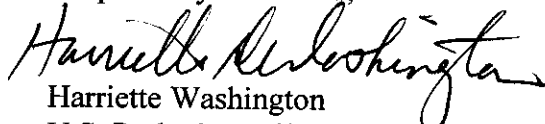
☒ To modify the conditions of supervision as follows:

The defendant shall enter and participate in a community confinement program, in the community corrections component with work release for a period of 90 days or until discharged by the United States Probation Office, pursuant to 18 U.S.C. 3563(b)(11).


CAUSE

Mr. Capellen will be released from the Bureau of Prisons homeless, with no resources, and no support system. He requires an intensive level of care in hopes of addressing his mental health, substance abuse, and subsistence needs.

Respectfully submitted,


Harriette Washington
U.S. Probation Officer


Reviewed by,


David E. Goering, Supervising
U.S. Probation Officer

Capellan, Lyle
Modification of Conditions of Supervision
December 9, 2005

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as noted above
- ☒ The Modification of Conditions as noted above
- ☐ Other



Lyle E. Strom
U.S. Senior District Judge

12/22/05

Date

Prob 49
(Rev. 12/00)

United States District Court

District of Nebraska

**Waiver of Hearing to Modify Conditions
of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervision. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following additional conditions:

The defendant shall enter and participate in a community confinement program, in the community corrections component with work release for a period of 90 days or until discharged by the United States Probation Office, pursuant to 18 U.S.C. 3563(b)(11).

Witness: Harriette Washington Signed: Lyle Capellen
Harriette Washington Lyle Capellen
U.S. Probation Officer

Date: December 9, 2005